

**KML Law Group, P.C.**  
INCORPORATED IN THE COMMONWEALTH OF PENNSYLVANIA

216 HADDON AVENUE, STE. 406  
WESTMONT, NJ 08108  
(215) 627-1322  
FAX (215) 627-7734

[HTTP://WWW.KMLLAWGROUP.COM/](http://www.kmlawgroup.com/)

MARCH 13, 2018

Re: David R. Racioppi  
Case No. 16-17897 MBK

Premises: 6 Irene Court, Edison, NJ 08820

Secured Creditor: Specialized Loan Servicing LLC, as servicer for Citigroup Mortgage Loan Trust Inc.  
Asset-Backed Pass-Through Certificates Series 2005-HE3, U.S. Bank National Association, as Trustee

Dear Judge Kaplan:

This office represents Specialized Loan Servicing LLC, as servicer for Citigroup Mortgage Loan Trust Inc. Asset-Backed Pass-Through Certificates Series 2005-HE3, U.S. Bank National Association, as Trustee ("Secured Creditor"), with regard to this matter. Secured Creditor holds a lien on real property located at 6 Irene Court, Edison, NJ 08220. Please accept this letter brief in lieu of a more formal objection to Debtor's Motion to Fix Mortgage Payoff Amount.

Debtor's motion seeks to set the payoff amount of this loan based on the final judgment. Any payoff of the Secured Creditor's claim must be calculated according to New Jersey state law. See 11 U.S.C 1325(a)(5)(B)(I)(aa). While it is not contested that the Debtor can opt to pay the final judgment, that amount needs to be calculated in accordance with applicable non-bankruptcy provisions. Secured Creditor is entitled to its final judgment amount, post-judgment escrow advances, post-judgment corporate advances (including but not limited to attorneys' fees, property inspections, and property preservation expenses), plus judgment interest through the date of payoff, less any post-judgments payments made by or on behalf of the Debtor.

Secured Creditor is gathering the post-judgment history for the Debtor. However, until the Debtor provides an expected date for the completion of the transaction, it is not possible to calculate the interest on the judgment. Further, depending on the expected date of payment, additional taxes, insurance, or other advances may be made by the Secured Creditor.

Because additional information is required, an accurate payoff cannot yet be calculated. Accordingly, this motion should not be granted at this time.

Respectfully,

/s/ Denise Carlon

Denise Carlon, Esq.  
KML Law Group, P.C.